

NEW JERSEY



# CITIZEN ACTION

Phyllis Salowe-Kaye/Executive Director

**Board of Directors**

Vic De Luca, (Chair)  
Ira Stern, (Vice Chair)  
Union of Needletrades, Industrial &  
Textile Employees, NJ Council  
Lani-ene Shuchter, (Secretary/Treasurer)  
International Union of Electronic Workers,  
District 3  
Helly Rosenstein  
Communications Workers of America,  
Local 1037  
Wayne Smith  
(Delegate to national organization)  
Black Urban Alliance  
Sy Larson  
Coalition of Union Retiree Organizations  
Sheryl Gordon  
Mae F. Lang (Alternate)  
American Federation of State, County &  
Municipal Employees, Administrative Council 1  
Deborah Hanwell Piggins  
YWCA State Council  
Lewis Hurd  
Universal Improvement Association  
Michael Johnson  
NJ Education Association  
Mitch Kahn  
Matthew B. Shapiro (Alternate)  
NJ Tenants Organization  
Wahedeh Muhammad  
International Federation of Professional  
& Technical Engineers, Local 195  
Joy Schulman  
Communications Workers of America,  
Local 1034  
Rev. Ronald Tuff  
Paterson Task Force for Community Action  
Frank Viggiano  
John M. Abeigon (Alternate)  
NJ State Federation of Teachers

**Board of Trustees**

John Atlas  
National Housing Institute  
Miriam Dickman  
Older Women's League (OWL)  
Michael Dokla  
Nick Kourambis (Alternate)  
Bergen County Central Trades & Labor  
Council, AFL-CIO  
Dorothy Emerson  
Communications Workers of America,  
Local 1031  
Rev. F. E. Gillard  
Community Urban Renewal Enterprise  
Dr. May Hollinshead  
Edward J. Purtili (Alternate)  
Gray Panthers of Northern NJ  
Rev. Reginald Jackson  
St. Matthew A.M.E. Church  
Bill Kane  
Frank DeMaria (Alternate)  
NJ Industrial Union Council  
Alan Kaufman  
Communications Workers of America,  
District 1  
Harold Morrison  
International Union of Electronic Workers,  
District 3  
Patrick Morrissey  
Housing & Neighborhood Development  
Services, Inc.  
William G. Terrill  
United Auto Workers, Region 9  
Ann Twomey  
Jeanne Olsen (Alternate)  
Health Professionals & Allied Employees  
of NJ, AFT  
Virginia Wolf  
Communications Workers of America,  
Local 1038  
Nicholas Yovnelio  
Council of NJ State College Locals, AFT

January 7, 2000

Ms. JoAnne Watson  
Business Administrator  
City of Newark  
City Hall Room 205  
Newark, NJ 07102

Dear Ms. Watson,

We write this letter to follow up on the September meeting you had with New Jersey Citizen Action and members of the Newark Partnership for Lead Safe Children. As a follow up to that meeting and subsequent correspondence, we would like an update on the Administration's plans to emphasize prevention in the process of doing lead inspections in Newark.

As we discussed, the current methods for lead inspections only look for lead hazards after a child has been lead poisoned. We all agreed in principle that children should not be used as lead detectors. The City could change its policy to one that emphasizes prevention in several ways:

- First, the Department of Health's Lead Program could inspect homes for lead on request so an occupant would know if lead is present. If a lead hazard were found it would not have to be abated if there was no lead poisoned child at that address. Of course, the Lead Program would still give priority to inspecting homes where children had elevated blood leads. We understand that staffing in the Lead Program has been difficult. However, if the Department's goal of ten lead inspectors/risk assessors is reached then inspections on request should be possible.
- As an alternative, the Division of Inspections and Enforcement within the Department of Neighborhood Services could do lead inspections on request. This is the office that responds to complaints of rats, roaches, no heat, no hot water and a long list of other housing code violations, and orders landlords to fix problems. These housing inspectors do respond to complaints of peeling paint but have no way of determining the presence of lead. This office might be more able to handle the extra requests for lead inspections since it employs five to seven housing inspectors per ward. These inspectors would have to be trained and equipped to simply detect lead paint. Or, these housing inspectors could assume any peeling paint in a pre-1978 house was lead

**Main Office**

400 Main Street  
Hackensack, New Jersey 07601  
(201) 488-2804  
Fax: (201) 488-1253

**Central Jersey**

85 Raritan Avenue, Suite 100  
Highland Park, New Jersey 08904  
(732) 846-4772  
Fax: (732) 214-8385

**South Jersey**

556 Haddon Avenue  
Collingswood, New Jersey 08108  
(800) 886-0007  
Fax: (800) 886-0111

**Shore Office**

707 Arnold Avenue, Suite E  
Point Pleasant Beach, New Jersey 08742  
(732) 714-5330  
Fax: (732) 714-5385

paint, and provide both the tenant and landlord with a report stating so. This is similar to New York City's policy. In NYC, the complaint-driven Housing Preservation and Development office will respond to a tenant's complaint of peeling paint. If the building was built before 1960, the inspector writes it up as a lead violation and the landlord is ordered to abate. This is a rebuttable presumption. If, for some reason, the paint does not contain lead, the burden is on the landlord to prove it is lead-free.

- As another possibility, Newark could require a lead inspection as part of a Certificate of Occupancy requirement before all housing units sold or re-rented. The City of Paterson has successfully implemented such an ordinance. The ordinance is enclosed. This ordinance requires property owners to request a lead inspection before re-renting or selling a housing unit. The landlord pays a \$100 fee and the report is issued to the landlord and the tenant.

To alleviate the concerns of the City, it should be noted that if units were inspected on request and found to have lead, no abatement would be required under New Jersey law because there would be no lead poisoned child at that address.

Finally, we recognize the City has made advances in training and hiring lead inspectors but has still not reached its goal of ten lead inspectors/risk assessors. How many inspectors are currently staffing the program now? What further plans does the City have to train and hire more inspectors and when does it plan to reach the goal of ten?

We look forward to your response in writing and we look forward to working with you.

Sincerely,

Gina Lucas  
Association for Children of NJ

Susie McGhee  
NAACP Newark Branch

Phyllis Salowe-Kaye  
Executive Director  
New Jersey Citizen Action

David Weiner  
President, CWA Local 1081

Danny Williams  
President, NAACP Newark Branch

John J. Weber  
Lead Program Coordinator  
New Jersey Citizen Action